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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,253	08/24/2001	James M. Derderian	4830US (01-0106)	2189

24247 7590 09/11/2002

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EXAMINER

WILLIAMS, ALEXANDER O

ART UNIT	PAPER NUMBER
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2826

DATE MAILED: 09/11/2002

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/939,253

Applicant(s)

DERDERIAN, JAMES M.

Examiner

Alexander O Williams

Art Unit

2826

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-102 is/are pending in the application.
- 4a) Of the above claim(s) 14-16, 27-30, 34-36, 41 and 45-102 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 17-26, 31-33, 37-40 and 42-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7. 6) ☐ Other:

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Serial Number: 09/939253 Attorney's Docket #: 4830US(01-0106)
Filing Date: 8/24/01;

Applicant: Derderian

Examiner: Alexander Williams

Applicant's election without traverse of Species 7, figure 10 (claims 1 to 13, 17, 18, 19-40, 42-44) in Paper # 11, filed 8/21/02, has been acknowledged. The Examiner has modified the claims that read on the elected figure 7. The claims that will be examined are claims 1 to 13, 17-26, 31 to 33, 37 to 40 and 42 to 44. **Error!**
Bookmark not defined.

This application contains claims 14 to 16, 27 to 30, 34 to 36, 41 and 48 to 67 drawn to an invention non-elected without traverse in Paper No. 11.

This application contains claims 68 to 102 drawn to an invention non-elected with traverse in Paper No. 9.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

Claims 1 to 13, 17 to 26, 31 to 33, 37 to 40 and 42 to 44 are rejected under 35 U.S.C. § 102(e) as being anticipated by Akram (U.S. Patent # 6,424,033 B1).

For example, in claim 1, Akram (figures 10 and 11) show a semiconductor device **910** for use in a stacked multi-chip assembly **912,40**, comprising: a semiconductor die

912; and a spacer layer **920** formed on at least a portion of a surface of said semiconductor die and protruding therefrom substantially a predetermined distance that said semiconductor die and an adjacent semiconductor die of said stacked multi-chip assembly are to be spaced apart from one another, said spacer layer including voids communicating with a lateral periphery thereof.

For example, in claim 19, Akram (figures 10 and 11) show a semiconductor device assembly, comprising: a first semiconductor device **912**; a nonconfluent spacer layer **920** on a surface of said first semiconductor device, a second semiconductor device **40** positioned over said first semiconductor device, a surface of said second semiconductor device being adhered to said nonconfluent spacer layer.

The listed references are cited as of interest to this application, but not applied at this time.

Field of Search	Date
U.S. Class and subclass: 257/686,685,777,778,784-787,734,737,738,723,730,773	9/9/02
Other Documentation: foreign patents and literature in 257//686,685,777,778,784-787,734,737,738,723,730,773	9/9/02
Electronic data base(s): U.S. Patents EAST	9/9/02

Papers related to this application may be submitted to Technology Center 2800 by facsimile transmission. Papers should be faxed to Technology Center 2800 via the Technology Center 2800 Fax center located in Crystal Plaza 4-5B15. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center 2800 Fax Center number is (703) 308-7722 or 24. Only Papers related to Technology Center 2800 APPLICATIONS SHOULD BE FAXED to the GROUP 2800 FAX CENTER.

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Any inquiry concerning this communication or any earlier communication from the examiner should be directed to **Examiner Alexander Williams** whose telephone number is **(703) 308-4863**.

Any inquiry of a general nature or relating to the status of this application should be directed to the **Technology Center 2800 receptionist** whose telephone number is **(703) 308-0956**.

9/9/02

A handwritten signature in black ink, appearing to read 'Alexander O. Williams', written in a cursive style.

Primary Examiner
Alexander O. Williams